

NORTHERN DISTRICT OF OHIO

Plaintiff,

JASON STOVALL,

Defendant.

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT

INTRODUCTION

2. Your Affiant has been employed by the FBI since March of 2017, has served on the FBI Cleveland Evidence Response Team since May 2018, and is currently assigned to the FBI Cleveland Cyber Crimes Squad, which is responsible for investigations involving computer related offenses. Affiant has received specialized training at the FBI Academy, in Quantico,

Virginia, in a variety of Federal criminal violations, including training on how to conduct surveillance, electronic and physical searches, interview and interrogation techniques, evidence collection, arrest and search warrant executions, and case preparation. Affiant also possesses a graduate degree in computer science and has training in computer programming, algorithms, cryptography, and security. Affiant has experience working with multiple operating systems, databases, computer networks and analysis, systems administration, computer forensics, and vulnerability research with the National Security Agency, as a U.S. Government contractor, and in private industry prior to employment with the FBI.

3. Others at the FBI who have extensive experience in the investigations of criminal acts under the jurisdiction of the FBI are also assisting in the investigation.

PURPOSE

4. This affidavit is submitted in support of the following:

- a. A Criminal Complaint and an Arrest Warrant for JASON DAVON STOVALL (“STOVALL”), age 37, Social Security Number ending in 4174, for a violation of Title 18, United States Code, Section 875(c) Interstate Communications.
- b. Title 18, United States Code, Section 875(c) prohibits the transmission in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

5. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

STATEMENT OF PROBABLE CAUSE

6. On January 24, 2018, the Ohio Lottery Commission (OLC) notified the Ohio State Highway Patrol (OSHP) of comments that were posted to the OLC's Facebook page, threatening three members of the "draw team"¹. One of the Facebook posts stated: "My 44. Will make sure ALL YOUR kids don't grow." A second post read: "Your staff will DIE. It's gonna be so funny when you f**kers get shot...". The remainder of the posts stated that members of the OLC will "die slow"².

7. Facebook is a social networking service and website. Users create personal profiles and are able to communicate and exchange information including messages and pictures with other Facebook users. Facebook is headquartered in Menlo Park, CA and has data centers in numerous locations around the world. According to Facebook's Data Policy, updated 4/19/2018, this information may be stored outside of where you live, to include other countries in order to globally operate and provide Facebook products to the user community. Facebook further states copies of this information is stored in separate regions.

8. Since March 2018, numerous threats have been made to the draw team's Facebook account, as well as to the Facebook account of the OLC. The threats have become increasingly aggressive in nature. All of the threats listed below originated from Facebook accounts under the names "Dave Yost" and "Terry Hadesty", from Verizon IP addresses 174.255.149.87, 174.255.146.104 or 174.255.149.148³.

¹ The draw team refers to the small team of individuals who appear on television and physically draw the lottery numbers.

² A separate request was made to Facebook to determine subscriber information for the Facebook account from which the threats originated. Facebook was unable to provide subscriber information for said account.

³ These three IP addresses were identified through returns sent to Ohio State Highway Patrol as a result of legal process Ohio State Highway Patrol served on Facebook in July 2018.

9. On June 28, 2018, at approximately 10:59 a.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "The OHIO lottery hosts. [VICTIM1] [VICTIM2] ... Etc WE ARE GONNA KILL YOUR F**KING KIDS. Rig numbers get your f**king KIDS KILLED. Keep smiling thinking it's a game".
10. On June 28, 2018, at approximately 11:00 a.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "I personally am gonna put a bullet in each one of them".
11. On June 28, 2018, at approximately 11:00 a.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "Your kids are f**king dead understand".
12. On July 2, 2018, at approximately 1:53 p.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "Keep rigging numbers an we will keep adding up the body count. Report this to Facebook all u want. [VICTIM 1] u deserve to be raped an killed. [VICTIM 2] you're a dead man walking".
13. On July 2, 2018, at approximately 1:54 p.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "Get shot in the head".
14. On July 2, 2018, at approximately 1:54 p.m., a Facebook account displaying the username "Dave Yost" posted to the OLC Facebook page: "Who ever controls this website. Shut up. You employ a slut named [VICTIM 1]. An the black woman [VICTIM 3] who host mid drawings. Listen here I want to make sure you hear me. I'm gonna make sure all of your kids don't make it to their teenage years.nasty whores".

15. On July 2, 2018, at approximately 2:35 p.m., a Facebook account displaying the username “Dave Yost” posted to the OLC Facebook page: “Dirty ass j**⁴ I’ll f**king erase her. Keep thinking we are not serious hoe. You’ll be tracked down. Watched an dealt with accordingly. You at home [VICTIM 1]. We are coming to check. Fireworks will cover up gun shots at your family don’t be outside for the fourth of july hoe”.
16. On July 5, 2018, at approximately 8:00 p.m., a Facebook account displaying the username “Terry Hadesty” posted to the OLC Facebook page: “Looks like a good place to dump [VICTIM 1] body off”.
17. On July 5, 2018, at approximately 8:00 p.m., a Facebook account displaying the username “Terry Hadesty” posted to the OLC Facebook page: “[VICTIM 1] family I wonder if u are full of whore like [VICTIM 1]. Your blood will be paved over Akron Ohio streets. Whore”.
18. On July 5, 2018, at approximately 8:00 p.m., a Facebook account displaying the username “Terry Hadesty” posted to the OLC Facebook page: “We have prices on the heads of the Ohio lottery hosts. Keep rigging numbers an we will keep picking out the family members of yours that are gonna be killed in the future”.
19. On July 6, 2018, at approximately 11:05 a.m., a Facebook account displaying the username “Terry Hadesty” posted to the OLC Facebook page: “[VICTIM 1] what a whore. She will get what’s coming to her”.
20. On July 18, 2018, Cleveland Joint Terrorism Task Force (JTTF) received from Verizon all telephone numbers that had been associated with IP addresses 174.255.149.87, 174.255.146.104 or 174.255.149.148 during the timeframes, down to the exact second, three of the threats were posted to Facebook. Your Affiant compared the telephone numbers across the

⁴ “J**” is a derogatory term sometimes directed at children of the Jewish faith.

IP addresses and identified cellular telephone number 949-315-9834 (SUBJECT PHONE) as the only telephone number that appeared as accessing data on all three IP addresses. Since SUBJECT PHONE was the only cellular telephone number that appeared on all three logs associated with all three IP addresses, your Affiant believes that SUBJECT PHONE is being used to post the above-referenced threats to Facebook.

21. In late July, 2018, a court-authorized search warrant was sent to Verizon for information related to SUBJECT PHONE. Analysis of cell tower information indicated a high concentration of calls hitting off a Verizon cell tower located in close proximity to STOVALL's residence. Further, a report was generated showing the number of text messages between SUBJECT PHONE and other numbers. Analysis of this report identified several numbers registered to people with the last name Stovall that had continued contact with SUBJECT PHONE.

22. One number, having more than 30 text message interactions with SUBJECT PHONE was registered to WITNESS 1. On July 25, 2018, WITNESS 1 was interviewed telephonically. During the call, WITNESS 1 indicated that his brother, Jason Stovall (STOVALL), was the owner and user of SUBJECT PHONE. WITNESS 1 also indicated that his and Jason's father was WITNESS 2.

23. A second number, having more than 20 text message interactions with SUBJECT PHONE was registered to WITNESS 2. WITNESS 2 was interviewed telephonically on July 24, 2018 and stated he could not locate any text messages from SUBJECT PHONE to identify the owner.

24. Based on training and experience with the aforementioned facts, your Affiant believes that "Dave Yost" and "Terry Hadesty" are both fake Facebook accounts created by STOVALL in order to conceal the true nature of STOVALL's identity.

25. Review of Facebook accounts associated with the name “Jason Stovall” revealed two accounts that your Affiant believes to be associated with STOVALL.

- a. 100000519722684 (Jason.Stovall2) “Kal Jason El Stovall,” with the URL <https://www.facebook.com/Jason.Stovall2> (“TARGET ACCOUNT 1”), showed a photo of STOVALL posted on March 6, 2018.
- b. 100002027225239 (Jason.Stovall.54) “Stovall” with the URL <https://www.facebook.com/Jason.Stovall.54> (“TARGET ACCOUNT 2”), showed a photo of STOVALL posted on July 30, 2014.

26. On July 26, 2018, TARGET ACCOUNT 1 posted a short video to his Facebook wall. The video depicted a sunrise, and was taken while the recorder was driving over what appears to be a river. The text above the video states: “Just another manic Monday (I’m gonna miss Dayton’s sunrise).” Your Affiant believes, based on training and experience, that TARGET ACCOUNT 1 is used by STOVALL, who is indicating that he will soon be fleeing the Dayton, Ohio area and will no longer be able to see sunrises in Dayton. Your Affiant also believes this is likely the result of Cleveland JTTF starting interviews of individuals who had continued contact with SUBJECT PHONE two days prior.

27. On July 27, 2018, TARGET ACCOUNT 1 posted “My mossberg goes BOOM” to his Facebook wall. Your Affiant believes, based on training and experience that STOVALL is indicating that he owns a weapon, specifically a Mossberg⁵.

⁵ O.F. Mossberg & Sons is an American firearms manufacturer who sells shotguns and rifles for hunting, sport shooting, home defense, tactical use and law enforcement.

28. On July 29, 2018, TARGET ACCOUNT 1 posted "People hacking accounts an phones" to his Facebook wall. Your Affiant believes, based on training and experience that STOVALL is attempting to create an alibi to cover his previous actions.

29. Returns from TracFone, received on July 30, 2018 indicated that the TracFone Airtime Cards that were used to reload minutes to SUBJECT PHONE were purchased at Wal-Mart store #1770, 20245 Route 19, Cranberry, PA.

30. On July 31, 2018, members of the Cleveland JTTF traveled to Wal-Mart store #1770, 20245 Route 19, Cranberry, PA, 16066, to obtain receipt information and video surveillance. WalMart store manager WITNESS 3 accessed the video surveillance equipment and quickly located surveillance footage of the specific cash registers indicated by TracFone on the date/times in question. WITNESS 3 was able to identify the individual who purchased the three TracFone Airtime Cards, purchased on May 8, 2018, June 10, 2018 and July 10, 2018. The surveillance footage revealed the following:

- a. Surveillance footage from May 08, 2018, at approximately 9:32 a.m., revealed an unidentified white female used self-check-out register #46. According to her receipt, she purchased a TracFone Airtime Card, ST45UNLT/T/D for \$41.63. The female paid with a CHASE VISA, last four digits, 1788. Analysis of the signature receipt for this purchase, provided by the Cranberry, PA Walmart to Cleveland JTTF on August 3, 2018, showed that the purchase was made using a credit card in the name WITNESS 4.
- b. On June 10, 2018, at approximately, 9:47 a.m., an unidentified white female used self-check-out register #54. According to the receipt for this transaction, she purchased a TracFone Airtime Card, ST45UNLT/T/D for \$41.63. After paying

with a CHASE VISA, last four digits, 1788, the female left the store in a newer model white Toyota 4-Runner. The female making this purchase appears to be the same female who purchased a TracFone Airtime Card on May 8, 2018.

- c. On July 10, 2018, at approximately, 9:53 a.m., an unidentified white female used self-check-out register #38. According to her receipt, she purchased a TracFone Airtime Card, ST45UNLT/T/D for \$41.63. After paying with a CHASE VISA, last four digits, 1788, the female left the store in a newer model white Toyota 4-Runner, and both a front and rear license plate are visible, but unable to be read⁶. The female making this purchase appears to be the same female who purchased a TracFone Airtime Card on May 8, 2018 and June 10, 2018.

31. Open source checks revealed a WITNESS 4 who resides at Murrin Court, Mars, PA. This residence is approximately 4 miles from the WalMart in Cranberry, PA. WITNESS 4 shares a residence with SUBJECT 1, likely WITNESS 4's spouse. SUBJECT 1 is the registered owner of a 2016 Toyota 4Runner, which bears Ohio tag GTZ3853, VIN#: JTEBU5JR4G5301967.

32. Cleveland JTTF reviewed a driver's license photo for WITNESS 4 and compared the photo to the image of the woman shopping in WalMart who purchased the TracFone Airtime Cards. The woman in the video from WalMart strongly resembles WITNESS 4.

33. Review of WITNESS 4's address history indicates a past residence in Dayton, OH.

34. On August 6, 2018, WITNESS 4 was interviewed at her home in Mars, PA. WITNESS 4 went to middle school with STOVALL and reconnected with him a couple of years ago. WITNESS 4 had been purchasing TracFone Airtime Cards for STOVALL nearly every month

⁶ Pennsylvania does not provide or require a front license plate, however Ohio law does require both.

for the past two years. After purchasing the cards, WITNESS 4 would take a picture of the card and send the image to STOVALL via Facebook Messenger.

35. WITNESS 4 confirmed that STOVALL's Facebook account was under the name "Kal Jason El Stovall" (TARGET ACCOUNT 1). WITNESS 4 also provided a screen shot from Facebook messenger interacting with the user "Kal Jason El Stovall" that appears to show they added each other via the application on September 13, 2016.

36. WITNESS 4 was not surprised to hear STOVALL was threatening the OLC because when they first met two years ago STOVALL told WITNESS 4 someone from OLC was following him. WITNESS 4 stated STOVALL purchased lottery tickets all of the time until recently, when WITNESS 4 confronted him about spending WITNESS 4's money on the tickets. WITNESS 4 supported STOVALL for the past two years, sending him money for rent and food.

37. Further, on or about July 25, 2018, WITNESS 4 purchased a new cellular phone for STOVALL after STOVALL stated he had broken his previous cellular telephone. This is a day or two after Cleveland JTTF began interviewing individuals having continued contact with SUBJECT PHONE.

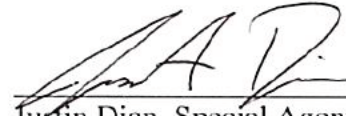
38. On August 14, 2018, STOVALL was interviewed in conjunction with a search warrant executed on his residence. During the interview STOVALL confessed to participating in the aforementioned activity, using SUBJECT PHONE, and from within his residence.

CONCLUSION

39. Based on the forgoing facts, your Affiant submits that there is probable cause to believe that JASON DAVON STOVALL violated Title 18, United States Code, Section 875(c) - Interstate Communications.

I respectfully request that the warrant be issued.

Respectfully submitted,



Justin Dian, Special Agent
Federal Bureau of Investigation

Sworn to via telephone after
submission by reliable electronic
means. Crim.Rules. 4.1; 41(d)(3)



Thomas M. Parker

United States Magistrate Judge

Electronically Signed at Cleveland, Ohio

11 04 AM, Aug 14, 2018